

Sec. 31, of
34 G. 3, c. 6,
amended.

XIX. The thirty-first section of the Lower Canada Judicature Act, passed in the thirty-fourth year of the reign of King George the Third, chapter six, is hereby so amended as to read as follows:

Effect of ap-
peal to Privy
Council as re-
gards suspen-
sion of execu-
tion.

"In all cases where an appeal shall be allowed to Her Majesty in Her Privy Council, execution shall be suspended for six calendar months from the day on which such appeal is allowed, and from the expiration of that period to the final determination of the said appeal,—if before the expiration of the said six months, a certificate shall be filed in the Court having jurisdiction in appeal in Lower Canada, signed by the Clerk of Her Majesty's Privy Council, or his deputy, or any other person duly authorized by him, that such appeal has been lodged, and that proceedings have been had thereon before Her Majesty in Her Privy Council; but if no such certificate be produced and filed in the Court having jurisdiction in appeal in Lower Canada within the said six months, the said appeal shall no longer operate as a stay of judgment and execution, but the party who obtained judgment in the said Court having jurisdiction in appeal, may sue out execution as if no such appeal had been made or allowed; any law, usage or custom to the contrary notwithstanding."

Salary of Clerk
of Appeals.

XX. The salary of the Clerk of Appeals shall hereafter be such sum not exceeding five hundred pounds per annum, as the Governor in Council shall from time to time direct; and so much of the Act of 1855, chapter 98, as fixes his salary, is hereby repealed.

Court to be a
Court of Error
in criminal
cases.

XXI. The said Court sitting in Appeal and Error shall be a Court of Error in criminal as well as in civil cases, and shall have jurisdiction in Error in all criminal cases before the said Court on the Crown side thereof, or before any Court of Oyer and Terminer, or Court of Quarter Sessions; And the Writ of Error shall operate a stay of execution of the judgment of the Court below.

Provision for
reserving dif-
ficult questions
of law at Cri-
minal Trials.

And in order to provide means of deciding any difficult question of law which may arise at Criminal Trials—

In what cases
questions may
be reserved.

XXII. When any person shall have been convicted of any treason, felony or misdemeanor, at any criminal term of the said Court of Queen's Bench, or before any Court of Oyer and Terminer, Gaol Delivery, or Quarter Sessions, the Court before which the case shall have been tried, may, in its discretion, reserve any question of law which shall have arisen on the trial, for the consideration of the said Court of Queen's Bench on the Appeal side thereof, and may thereupon respite execution of the judgment on such conviction, or postpone the judgment until such question shall have been considered and decided by the said Court of Queen's Bench; and in either case

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